

***Remarks***

Reconsideration of this Application is respectfully requested.

Paragraph [0067] has been amended to insert an application number.

Claims 31-34 are sought to be added. Claims 1, 2, 7, 20, 21, 23, and 27 are sought to be amended. Upon entering the amendment, Claims 1-34 are pending in the application, with 1 and 27 being the independent claims.

No new matter has been entered by any amendments shown above.

Based on the above amendments and following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

***Objection to the Claims***

Claim 27 was objected to by the Examiner because of an typographical error. In view of the amendments shown above, Applicants respectfully request that the Examiner reconsider and withdraw the objection.

***Rejections under 35 U.S.C. § 112, second paragraph***

Claims 7-8 were rejected under 35 U.S.C. §112, second paragraph, because they allegedly lacked antecedent basis for a claim term. In view of the amendments shown above, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 17 and 18 were rejected under U.S.C. § 112, second paragraph, because they were allegedly indefinite regarding the term “writer’s palm.” This term is a very well known art-related term in fingerprinting used by law enforcement to reference to a specific portion of a person’s hand, e.g., a portion of a hypothenar region. More colloquially, this may include a portion of a palm that rests on a writing surface when one writes.

For example, see the below table found at ([http://www.fbi.gov/hq/cjisd/iafis/efts71/appendix\\_f.htm](http://www.fbi.gov/hq/cjisd/iafis/efts71/appendix_f.htm)):

**Table F-1. Preferred Capture Sizes**

	Preferred Width (inches)	Preferred Height (inches)
roll finger	1.6*	1.5
plain thumb	1.0	2.0
plain 4-fingers (sequence check)	3.2	2.0
plain 4-fingers (identification flat)	3.2	3.0
full palm	5.5	8.0
half palm	5.5	5.5
writer's palm	1.75	5.0

Also, this term has been found in U.S. patents filed as far back as 1998, if not earlier (e.g., see U.S. Patent Nos. 6,175,407 and 6,928,195).

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw this rejection.

***Rejections under 35 U.S.C. § 102(b) and 103(a)***

Claims 1-4, 6, 9-13, 22, and 27-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,038,332 to Fishbine et al. ("Fishbine"). Claims 5, 7, 8, 14-19, and 24 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fishbine. Claims 20, 21, and 23 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fishbine in view of U.S. Patent No. 5,526,436 to Sekiya ("Sekiya"). Claims 25 and 26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Fishbine in view of U.S. Patent No. 5,825,474 to Maase. Applicants traverse all these rejections.

Claims 1 and 27 recite at least a non-planar prism comprising a curved portion and a planar portion.

The Examiner asserts on pages 3-4 of the Office Action that this is taught in Fishbine at Fig. 1A, element 104, column 2, lines 51-56 and column 4, lines 52-60. However, Applicants can find no teaching or suggestion in Fishbine that any prism is being used. Applicants assume the Examiner is alleging cylindrical surface 104 of a palm scanner 100 is a prism. Even assuming this allegation, as shown in Figure 1A, cylindrical surface 104 is just that, a surface, and does not include a planar portion, only a curved portion. It is further assumed the Examiner is trying to claim folding mirror 156 is a planar portion, as nothing else appears to be remotely related to a planar portion in the section of the reference referred to by the Examiner. However, clearly folding mirror 156 is not part of cylindrical surface 104, and clearly these two elements do not form a non-planar prism having a curved and planar portion, as recited in claims 1 and 27.

Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

Dependent claims 2-26 and 28-30 are allowable over the applied reference for at least the same reason that respective independent claims 1 and 27 are allowable, and further in view of their own respective features. Neither Sekiya or Maase add anything to cure the deficiencies of Fishbine with respect to the present invention.

For example:

Claims 4 and 5 recite rotating a received image, which is not taught or suggested by the applied references.

Claims 9 and 10 recites converting the captured image data from a first coordinate system into image data in a second coordinate system, which is not taught or suggested by the applied references.

Claim 28 recites the image capturing system comprises a stationary lens and a stationary large area array, which is not taught or suggested by the applied references.

Claims 31 and 33 recite the image data represents substantially all of a person's hand while the hand is stationary on the non-planar prism, which is not taught or suggested by the applied references.

Claims 32 and 34 recite wherein the non-planar prism comprises a conical prism

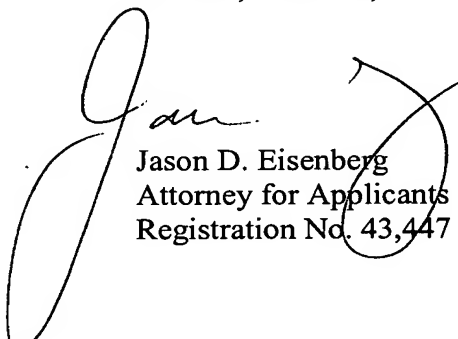
### ***Conclusion***

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

  
Jason D. Eisenberg  
Attorney for Applicants  
Registration No. 43,447

Date: 10/28/05

1100 New York Avenue, N.W.  
Washington, D.C. 20005-3934  
(202) 371-2600  
SKGF\_DC1: 458782.1

1823.0820003